



**Iowa General Assembly**  
**Daily Bills, Amendments and Study Bills**  
**January 14, 2013**

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**House Concurrent Resolution 1 - Introduced**

HOUSE CONCURRENT RESOLUTION NO. 1

BY PAULSEN and McCARTHY

1 A Concurrent Resolution to provide for a joint  
2 convention.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
4 SENATE CONCURRING, That a joint convention of the two  
5 houses of the 2013 session of the Eighty-fifth General  
6 Assembly be held on Tuesday, January 15, 2013, at 10:00  
7 a.m.; and

8 BE IT FURTHER RESOLVED, That Governor Terry E.  
9 Branstad be invited to deliver his budget message  
10 at this joint convention of the two houses of the  
11 General Assembly, and that the Speaker of the House  
12 of Representatives and the President of the Senate be  
13 designated to extend the invitation to him.



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**House Concurrent Resolution 2 - Introduced**

HOUSE CONCURRENT RESOLUTION NO. 2

BY PAULSEN and McCARTHY

1 A Concurrent Resolution to provide for a joint  
2 convention.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
4 SENATE CONCURRING, That a joint convention of the two  
5 houses of the 2013 session of the Eighty-fifth General  
6 Assembly be held on Wednesday, January 16, 2013, at  
7 10:00 a.m.; and

8 BE IT FURTHER RESOLVED, That Chief Justice Mark  
9 S. Cady be invited to present his message of the  
10 condition of the judicial branch at this convention,  
11 and recommend such matters as the Chief Justice deems  
12 expedient, pursuant to section 602.1207 of the Code.



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House Concurrent Resolution 3 - Introduced

HOUSE CONCURRENT RESOLUTION NO. 3

BY PAULSEN and McCARTHY

1 A Concurrent Resolution to provide for a joint  
2 convention.

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
4 SENATE CONCURRING, That a joint convention of the two  
5 houses of the 2013 session of the Eighty-fifth General  
6 Assembly be held on Thursday, January 31, 2013, at  
7 10:00 a.m.; and

8 BE IT FURTHER RESOLVED, That Major General Timothy  
9 Orr be invited to present his message of the condition  
10 of the Iowa National Guard at this convention.



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House Resolution 1 - Introduced

HOUSE RESOLUTION NO. 1

BY S. OLSON

1 A Resolution for the selection and appointment of  
2 secretaries and pages.  
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
4 each member of the House of Representatives shall be  
5 entitled to select and appoint a secretary, and such  
6 secretary may be called upon to aid in the discharge of  
7 the clerical work of the House of Representatives. The  
8 Speaker and Chief Clerk shall appoint their secretaries  
9 and pages to serve for the session, and the Chief Clerk  
10 is hereby authorized to employ such additional clerical  
11 assistance as her duties may require.



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**House Resolution 2 - Introduced**

HOUSE RESOLUTION NO. 2

BY RAYHONS

1 A Resolution to arrange for opening the sessions with  
2 prayer.  
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
4 a committee of one be appointed to arrange for opening  
5 the sessions with prayer.



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House Resolution 3 - Introduced

HOUSE RESOLUTION NO. 3

BY UPMEYER and McCARTHY

1 A Resolution recognizing and honoring the men and women  
2 of Iowa's utility companies and their contractors  
3 for their untiring service during the Hurricane  
4 Sandy crisis.

5 WHEREAS, in times of crisis Iowans have a long and  
6 proud history, helping each other and their fellow  
7 Americans; and

8 WHEREAS, that dedication was recently evident  
9 when employees of Iowa's utility companies and their  
10 contractors stepped forward to help their fellow  
11 Americans, rushing to the East Coast to restore  
12 electric and natural gas service to thousands of  
13 utility customers who were left cold and in the dark by  
14 the super storm; and

15 WHEREAS, many crews worked an average of 16-hour  
16 days for two consecutive weeks; and

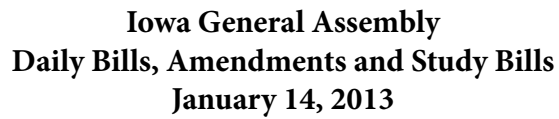
17 WHEREAS, in recognition of their extraordinary  
18 service, the Edison Electric Institute presented  
19 Alliant Energy and MidAmerican Energy Company with  
20 its annual 2012 Emergency Assistance Award, which  
21 recognizes extraordinary efforts undertaken in  
22 restoring electric and natural gas service that has  
23 been disrupted by severe weather conditions or other  
24 natural events; NOW THEREFORE,

25 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
26 the House of Representatives honors the men and women  
27 of Iowa's utility companies and their contractors who  
28 left their homes and families during the holiday season

LSB 1605HH (4) 85

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1 and provided aid and comfort to their fellow Americans;  
2 and

3 BE IT FURTHER RESOLVED, That the House of  
4 Representatives also honors Alliant/Interstate Power  
5 and Light Company and its contractors, MidAmerican  
6 Energy Company and its contractors, the contractors  
7 of ITC Midwest, Aurelia Municipal Electric Utility,  
8 Cedar Falls Utilities, Lake Park Municipal Utilities,  
9 Muscatine Power and Water, and Waverly Light and  
10 Power for their dedication and efforts to maintain and  
11 restore America's power supply.





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**Senate File 1 - Introduced**

SENATE FILE 1  
BY ZAUN

**A BILL FOR**

1 An Act providing for the issuance of an Olympic motor vehicle  
2 registration plate, establishing fees, and making an  
3 appropriation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1044XS (3) 85  
dea/nh



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S.F. 1

1 Section 1. Section 321.34, Code 2013, is amended by adding  
2 the following new subsection:  
3 NEW SUBSECTION. 27. *Olympic plates.*  
4 *a.* Upon application and payment of the proper fees, the  
5 director may issue Olympic plates to an owner of a motor  
6 vehicle referred to in subsection 12.  
7 *b.* The department, in consultation with the Iowa sports  
8 foundation, shall design a distinguishing processed emblem for  
9 the Olympic plates.  
10 *c.* The special plate fee for letter-number designated  
11 Olympic plates is twenty-five dollars. The fee for  
12 personalized Olympic plates is twenty-five dollars, which shall  
13 be paid in addition to the special plate fee of twenty-five  
14 dollars. The fees collected by the director under this  
15 subsection shall be paid monthly to the treasurer of state  
16 and deposited in the road use tax fund. The treasurer of  
17 state shall transfer monthly from the statutory allocations  
18 fund created under section 321.145, subsection 2, to the  
19 economic development authority the amount of the special plate  
20 fees collected in the previous month for the Olympic plates  
21 and such funds are appropriated to the economic development  
22 authority for distribution to one or more statewide nonprofit  
23 organizations authorized by the United States Olympic committee  
24 to benefit from the use of the committee's five-ring logo  
25 and whose primary mission is to provide sports, recreation,  
26 health, and wellness opportunities for Iowans of all abilities.  
27 Notwithstanding section 8.33, moneys transferred under this  
28 subsection shall not revert to the general fund of the state.  
29 *d.* Upon receipt of the special registration plates, the  
30 applicant shall surrender the current registration plates to  
31 the county treasurer. The county treasurer shall validate  
32 the special registration plates in the same manner as regular  
33 registration plates are validated under this section. The  
34 annual special plate fee for letter-number designated Olympic  
35 plates is twenty-five dollars, which shall be paid in addition



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1 to the regular annual registration fee. The annual fee for  
2 personalized Olympic plates is five dollars, which shall be  
3 paid in addition to the annual special plate fee and the  
4 regular annual registration fee. The annual special plate fee  
5 shall be credited and transferred as provided under paragraph  
6 "c".

7 Sec. 2. Section 321.145, subsection 2, paragraph b,  
8 subparagraph (3), Code 2013, is amended to read as follows:

9 (3) The amounts required to be transferred pursuant to  
10 section 321.34 from revenues available under this subsection  
11 shall be transferred and credited as provided in section  
12 321.34, subsections 7, 10, 10A, 11, 11A, 11B, 13, 16, 17, 18,  
13 19, 20, 20A, 20B, 20C, 21, 22, 23, 24, 25, ~~and 26~~, and 27 for  
14 the various purposes specified in those subsections.

15 EXPLANATION

16 This bill provides for the issuance of an Olympic motor  
17 vehicle registration plate to be designed by the department of  
18 transportation in consultation with the Iowa sports foundation.

19 The special plate fee for issuance of Olympic plates is  
20 \$25. An applicant for personalized Olympic plates must pay  
21 the \$5 personalized plate fee in addition to the \$25 special  
22 plate fee. The renewal fee for Olympic plates is \$25, in  
23 addition to the annual vehicle registration fee. For renewal  
24 of personalized Olympic plates, a \$5 personalized plate renewal  
25 fee applies in addition to the \$25 Olympic plate renewal fee  
26 and the annual registration fee. All registration fees are  
27 deposited in the road use tax fund.

28 The bill directs that an amount equal to \$25 from each  
29 Olympic special plate fee and \$25 from each Olympic plate  
30 renewal fee be transferred monthly from the statutory  
31 allocations fund to the economic development authority. The  
32 transferred funds are appropriated to the authority for  
33 distribution to one or more statewide nonprofit organizations  
34 authorized by the United States Olympic committee to benefit  
35 from the use of the committee's five-ring logo and whose

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1 primary mission is to provide sports, recreation, health, and  
2 wellness opportunities for Iowans of all abilities.



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**Senate File 2 - Introduced**

SENATE FILE 2  
BY JOHNSON

**A BILL FOR**

1 An Act relating to parent empowerment petitions for  
2 implementation of school intervention models by school  
3 districts.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1139XS (3) 85  
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S.F. 2

1 Section 1. NEW SECTION. 279.69 Parent empowerment petition  
2 — school intervention model implementation.

3 1. a. A school district attendance center is subject to  
4 this section if the attendance center is not identified as  
5 a persistently lowest-achieving school by the department of  
6 education, but has been subject to corrective action pursuant  
7 to the federal Elementary and Secondary Education Act of 1965,  
8 20 U.S.C. § 6301 et seq., as amended by the federal No Child  
9 Left Behind Act of 2001, Pub. L. No. 107-110, 20 U.S.C. §  
10 6316(b)(7), and continues to fail to make adequate yearly  
11 progress.

12 b. If a school district attendance center meets the  
13 requirements of paragraph "a" and at least fifty percent of  
14 the parents or guardians of students attending the attendance  
15 center, or a combination of at least one-half of the parents  
16 or guardians of students attending the attendance center and  
17 the elementary or middle school who normally matriculate into  
18 the middle or high school, as applicable, signs and submits  
19 to the board of directors of the school district in which the  
20 attendance center is located a petition requesting the board of  
21 directors of the school district to implement one or more of  
22 the four school intervention models identified by the United  
23 States department of education for school improvement grants  
24 under 75 Fed. Reg. § 66363, the school district shall implement  
25 the school intervention model requested and identified in the  
26 petition unless, after a regularly scheduled public hearing  
27 conducted by the school board, the school board by resolution  
28 states the reason the school board cannot implement the  
29 specific requested intervention model and designates in writing  
30 which of the other school intervention models it deems has  
31 substantial promise of enabling the attendance center to make  
32 at least adequate yearly progress, as defined in the federally  
33 mandated state plan under the federal Elementary and Secondary  
34 Education Act of 1965, 20 U.S.C. § 6301 et seq., as amended  
35 by the federal No Child Left Behind Act of 2001, Pub. L. No.

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1 107-110, and which the school board resolves to implement in  
2 the subsequent school year. A parent or guardian who signs a  
3 petition in accordance with this subsection must be eligible  
4 to vote in the school district.

5 2. The board of directors of the school district shall  
6 notify the state board of education and the director of the  
7 department of education upon receipt of a petition submitted in  
8 accordance with subsection 1 and the school board shall submit  
9 its final disposition of the petition and any written findings  
10 electronically to the state board and the director as soon as  
11 practicable.

12 3. A school district shall not be required to implement the  
13 school intervention model requested by the petition submitted  
14 in accordance with subsection 1 if the request is submitted for  
15 reasons other than improving academic achievement or student  
16 safety.

17 4. A school district shall notify the parents and guardians  
18 of students enrolled in a school district attendance center  
19 that meets the requirements of subsection 1, paragraph "a" that  
20 the attendance center is eligible for a parent empowerment  
21 petition. The notice shall include information about how  
22 parents and guardians may initiate or sign a petition in  
23 accordance with subsection 1.

24 5. a. The director of the department of education shall  
25 recommend rules to the state board of education for the orderly  
26 administration of this section. The director shall annually  
27 list on the department's internet site the names of all school  
28 district attendance centers that meet the requirements of  
29 subsection 1, paragraph "a".

30 b. The state board of education shall adopt rules as needed  
31 for the administration of this section.

32 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance  
33 with section 25B.2, subsection 3, the state cost of requiring  
34 compliance with any state mandate included in this Act shall  
35 be paid by a school district from state school foundation aid

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1 received by the school district under section 257.16. This  
2 specification of the payment of the state cost shall be deemed  
3 to meet all of the state funding-related requirements of  
4 section 25B.2, subsection 3, and no additional state funding  
5 shall be necessary for the full implementation of this Act  
6 by and enforcement of this Act against all affected school  
7 districts.

8 EXPLANATION

9 This bill provides for a parent empowerment petition  
10 that under certain conditions requires a school district to  
11 implement one or more school intervention models.  
12 Under the bill, a school district must implement one or more  
13 school intervention models if a school district attendance  
14 center in the district is not identified as a persistently  
15 lowest-achieving school by the department of education, but  
16 has been subject to corrective action pursuant to the federal  
17 law, continues to fail to make adequate yearly progress, and  
18 at least 50 percent of the parents or guardians of students  
19 attending the attendance center, or a combination of at least  
20 one-half of the parents or guardians of students attending  
21 the attendance center and the elementary or middle school  
22 who normally matriculate into the middle or high school, as  
23 applicable, signs and submits to the board of directors of the  
24 school district in which the attendance center is located a  
25 petition requesting that the school board implement one or more  
26 of the four school intervention models identified by the U.S.  
27 department of education.

28 The four school intervention models include the turnaround  
29 model, in which the principal is replaced, no more than  
30 half the teachers may be rehired, and new strategies are  
31 implemented; the restart model, in which the attendance  
32 center is converted to a charter school; school closure,  
33 in which the attendance center is closed and its students  
34 sent to higher-achieving schools in the district; and the  
35 transformation model, in which the principal is replaced and

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1 comprehensive curriculum reform and other strategies are  
2 implemented.

3 The petition must identify which of the intervention models  
4 the school district must implement in the subsequent school  
5 year. However, the school district may implement a model  
6 other than the requested model if, after a regularly scheduled  
7 public hearing, the school board states in a resolution the  
8 reason it cannot implement the requested intervention model and  
9 designates in writing which of the other school intervention  
10 models it deems has substantial promise of enabling the  
11 attendance center to make at least adequate yearly progress.

12 A school district must notify parents and guardians when  
13 a school district attendance center is eligible for a parent  
14 empowerment petition. The notice shall include information  
15 about how parents and guardians may initiate or sign a  
16 petition.

17 The school district is not required to implement the school  
18 intervention model requested by petition if the request is  
19 submitted for reasons other than improving academic achievement  
20 or student safety.

21 The school board shall notify the state board of education  
22 and the director of the department of education upon receipt  
23 of a petition and must submit its final disposition of the  
24 petition and any written findings electronically to the state  
25 board and the director.

26 The director of the department of education shall annually  
27 list on the department's internet site the names of all school  
28 district attendance centers that are eligible for a parent  
29 empowerment petition.

30 This bill may include a state mandate as defined in Code  
31 section 25B.3. The bill requires that the state cost of  
32 any state mandate included in the bill be paid by a school  
33 district from state school foundation aid received by the  
34 school district under Code section 257.16. The specification  
35 is deemed to constitute state compliance with any state mandate

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1 funding-related requirements of Code section 25B.2. The  
2 inclusion of this specification is intended to reinstate the  
3 requirement of political subdivisions to comply with any state  
4 mandates included in the bill.



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**Senate File 3 - Introduced**

SENATE FILE 3  
BY JOHNSON

**A BILL FOR**

1 An Act relating to the use of child labor in laundry  
2 occupations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1156XS (2) 85  
je/nh



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S.F. 3

1 Section 1. Section 92.8, subsection 18, Code 2013, is  
2 amended to read as follows:

3 18. Occupations involving the operation of ~~laundry~~, dry  
4 cleaning, ~~or~~ dyeing, or commercial or industrial laundry  
5 machinery.

6 EXPLANATION

7 Persons under 18 years of age are prohibited from employment  
8 in occupations involving the operation of laundry machinery.  
9 This bill provides that such persons will only be prohibited  
10 from employment in occupations involving the operation of  
11 commercial or industrial laundry machinery.



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**Senate File 4 - Introduced**

SENATE FILE 4  
BY HOGG

**A BILL FOR**

1 An Act making an appropriation to the state board of regents  
2 for purposes of constructing solar electric generation  
3 facilities at the state university of Iowa and including  
4 effective date provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1037SS (5) 85  
kh/nh



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S.F. 4

1 Section 1. SOLAR ELECTRIC GENERATION FACILITIES. There  
2 is appropriated from the general fund of the state to the  
3 state board of regents for the fiscal year beginning July 1,  
4 2012, and ending June 30, 2013, the following amount, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7 For purposes of constructing and maintaining solar electric  
8 generation facilities at the state university of Iowa:  
9 ..... \$ 3,100,000

10 Notwithstanding section 8.33, moneys appropriated  
11 for purposes of this section that remain unencumbered or  
12 unobligated at the close of the fiscal year shall not revert  
13 but shall remain available for expenditure for the purposes  
14 designated until the close of the fiscal year ending June 30,  
15 2018.

16 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
17 immediate importance, takes effect upon enactment.

18 EXPLANATION

19 This bill appropriates \$3.1 million from the general fund  
20 of the state for the 2012-2013 fiscal year to the state board  
21 of regents for purposes of constructing and maintaining solar  
22 electric generation facilities at the state university of  
23 Iowa. Unencumbered and unobligated moneys will not revert to  
24 the state general fund at the end of the fiscal year, but will  
25 remain available for expenditure for the purposes designated  
26 until the close of the 2018 fiscal year. The bill takes effect  
27 upon enactment.



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**Senate File 5 - Introduced**

SENATE FILE 5  
BY ANDERSON

**A BILL FOR**

1 An Act relating to funding for projects on state and local  
2 roads and bridges in critical need of repair or maintenance,  
3 and making an appropriation.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 1400XS (1) 85  
dea/nh



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S.F. 5

1 Section 1. Section 8.55, subsection 2, Code 2013, is amended  
2 to read as follows:

3 2. The maximum balance of the fund is the amount equal to  
4 two and one-half percent of the adjusted revenue estimate for  
5 the fiscal year. If the amount of moneys in the Iowa economic  
6 emergency fund is equal to the maximum balance, moneys in  
7 excess of this amount shall be distributed as follows:

8 a. The first sixty million dollars of the difference between  
9 the actual net revenue for the general fund of the state for  
10 the fiscal year and the adjusted revenue estimate for the  
11 fiscal year shall be transferred to the taxpayers trust fund.

12 b. Moneys in excess of the amount transferred under  
13 paragraph "a", up to a maximum of one hundred million dollars,  
14 shall be transferred to the critical needs road fund created  
15 under section 312B.1.

16 ~~b.~~ c. The remainder of the excess, if any, shall be  
17 transferred to the general fund of the state.

18 Sec. 2. Section 8.58, Code 2013, is amended to read as  
19 follows:

20 **8.58 Exemption from automatic application.**

21 1. To the extent that moneys appropriated under section  
22 8.57 do not result in moneys being credited to the general fund  
23 under section 8.55, subsection 2, moneys appropriated under  
24 section 8.57 and moneys contained in the cash reserve fund,  
25 rebuild Iowa infrastructure fund, environment first fund, Iowa  
26 economic emergency fund, ~~and taxpayers trust fund,~~ and critical  
27 needs road fund shall not be considered in the application of  
28 any formula, index, or other statutory triggering mechanism  
29 which would affect appropriations, payments, or taxation rates,  
30 contrary provisions of the Code notwithstanding.

31 2. To the extent that moneys appropriated under section  
32 8.57 do not result in moneys being credited to the general fund  
33 under section 8.55, subsection 2, moneys appropriated under  
34 section 8.57 and moneys contained in the cash reserve fund,  
35 rebuild Iowa infrastructure fund, environment first fund, Iowa

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1 economic emergency fund, ~~and taxpayers trust fund, and critical~~  
2 needs road fund shall not be considered by an arbitrator or in  
3 negotiations under chapter 20.

4 Sec. 3. NEW SECTION. 312B.1 Critical needs road fund.

5 1. A critical needs road fund is created in the state  
6 treasury under the control of the department of transportation.  
7 The fund shall be separate from the general fund of the state  
8 and the balance in the fund shall not be considered part of  
9 the balance of the general fund of the state. The fund shall  
10 consist of moneys appropriated by the general assembly and any  
11 revenues credited by law to the critical needs road fund. The  
12 moneys in the fund are not subject to section 8.33 and shall  
13 not be transferred, used, obligated, appropriated, or otherwise  
14 encumbered except as provided in this section. Notwithstanding  
15 section 12C.7, subsection 2, interest or earnings on moneys  
16 deposited in the critical needs road fund shall be credited to  
17 the fund.

18 2. Moneys in the critical needs road fund are appropriated  
19 to the department of transportation to be used as directed by  
20 the department exclusively for the repair and maintenance of  
21 roads on the primary or secondary road system or the municipal  
22 street system, including bridges. The department shall  
23 establish guidelines to be used by the department, counties,  
24 and cities for identifying roads and bridges in critical  
25 need of repair or maintenance and for the department to use  
26 in evaluating and prioritizing state and local road projects  
27 to receive funding under this section. Counties and cities  
28 may apply for funding from the critical needs road fund by  
29 submitting to the department proposals for projects on roads  
30 under their respective jurisdictions. A qualifying proposal  
31 shall include information regarding the status and condition  
32 of the road that is the subject of the proposal, the plan for  
33 completing the project, and any other information required by  
34 the department. The department shall develop an application  
35 process for counties and cities to use for the submission of

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1 proposals for the use of funds under this section. Moneys  
2 distributed from the critical needs road fund may be used  
3 in combination with other available funding as necessary to  
4 accomplish the completion of a qualifying project and to  
5 accomplish the goal of reducing the number of Iowa roads and  
6 bridges with critical needs.

7 EXPLANATION

8 This bill establishes a critical needs road fund in the state  
9 treasury under the control of the department of transportation.  
10 Moneys in the fund are appropriated to the department to be  
11 used exclusively for repair and maintenance of state and local  
12 roads. The department is authorized to direct the use of the  
13 fund's resources according to guidelines to be established by  
14 the department for identifying roads and bridges in critical  
15 need of repair or maintenance and for prioritizing state  
16 and local critical needs projects. Counties and cities  
17 may submit proposals for the use of funds on roads under  
18 their jurisdiction according to an application process to be  
19 developed by the department. Moneys from the fund may be used  
20 in combination with other available funding.

21 The bill provides that if the economic emergency fund  
22 reaches the maximum balance, after the required transfer of a  
23 portion of the excess to the taxpayers trust fund and before  
24 any remaining excess is transferred to the general fund of the  
25 state, any excess moneys in an amount up to \$100 million shall  
26 be transferred to the critical needs road fund.